

SEP 13 2018

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

IN THE MATTER OF THE SEARCH OF

(1) Kyocera cellular telephone bearing
Model #E4520PTT, MEID:
99000612170864

(2) currently located at the Roanoke City
Police Department 348 Campbell Ave
SW, Roanoke, VA 24016

JULIA C. DUDLEY, CLERK
BY: *A. Boesen*
DEPUTY CLERK

Case No.

7:18 mj/110

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF AN APPLICATION UNDER RULE 41 FOR A
WARRANT TO SEARCH AND SEIZE**

I, John L McPhail Jr, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the examination of property—an electronic device—which is currently in law enforcement possession, and the extraction from that property of electronically stored information described in Attachment B.

2. I am a Federal Bureau of Investigations (FBI) Task Force Officer (TFO) assigned to the Central Virginia Safe Streets Violent Crimes Task Force. I have been assigned to this task force since January 2016 during which time I have worked on 14 different federal cases. I have been a Roanoke County Police Officer for 23 years and assigned to the Criminal Investigations Division for 17 years. During this time I have been to over 20 training classes and schools on gangs, narcotics, criminal investigations, and interview and interrogation techniques. I have been assigned as the primary investigator on homicides, rapes, robberies, and other violent crimes since 2000.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement sources and witnesses. This

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affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

IDENTIFICATION OF THE DEVICE TO BE EXAMINED

4. The property to be searched:

Kyocera cellular telephone bearing Model #E4520PTT, MEID: 99000612170864 (**SUBJECT DEVICE**)

The **SUBJECT DEVICE** is currently located at the Roanoke City Police Department, 348 Campbell Ave SW, Roanoke, VA 24016

TECHNICAL TERMS

5. Based on my training and experience, I use the following technical terms to convey the following meanings:

- a. **Wireless telephone:** A wireless telephone (or mobile telephone, or cellular telephone) is a handheld wireless device used for voice and data communication through radio signals. These telephones send signals through networks of transmitter/receivers, enabling communication with other wireless telephones or traditional "land line" telephones. A wireless telephone usually contains a "call log," which records the telephone number, date, and time of calls made to and from the phone. In addition to enabling voice communications, wireless telephones offer a broad range of capabilities. These capabilities include: storing names and phone numbers in electronic "address books;" sending, receiving, and storing text messages and e-mail; taking, sending, receiving, and storing still photographs and moving video; storing and playing back audio files; storing dates, appointments, and other information on personal calendars; and accessing and downloading

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information from the Internet. Wireless telephones may also include global positioning system ("GPS") technology for determining the location of the device.

- b. **Digital camera:** A digital camera is a camera that records pictures as digital picture files, rather than by using photographic film. Digital cameras use a variety of fixed and removable storage media to store their recorded images. Images can usually be retrieved by connecting the camera to a computer or by connecting the removable storage medium to a separate reader. Removable storage media include various types of flash memory cards or miniature hard drives. Most digital cameras also include a screen for viewing the stored images. This storage media can contain any digital data, including data unrelated to photographs or videos.
- c. **Portable media player:** A portable media player (or "MP3 Player" or iPod) is a handheld digital storage device designed primarily to store and play audio, video, or photographic files. However, a portable media player can also store other digital data. Some portable media players can use removable storage media. Removable storage media include various types of flash memory cards or miniature hard drives. This removable storage media can also store any digital data. Depending on the model, a portable media player may have the ability to store very large amounts of electronic data and may offer additional features such as a calendar, contact list, clock, or games.
- d. **IP Address:** An Internet Protocol address (or simply "IP address") is a unique numeric address used by computers on the Internet. An IP address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer connected to the Internet must be assigned an IP address so that

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Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses.

- e. **Internet:** The Internet is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

6. Based on my training, experience, and research, I know the **SUBJECT DEVICE** has the capabilities that allow it to serve as a wireless telephone, storage device, digital camera, portable music/media player, and send emails, and/or text messages. In my training and experience, examining data stored on devices of this type can uncover, among other things, evidence that reveals or suggests who possessed or used the device.

BACKGROUND INFORMATION: ROLLIN' 30s CRIPS

7. The requested warrant is sought in connection with an investigation by the FBI into two murders and an attempted Hobbs Act robbery committed over the past nine months by suspects who are believed to be members of the affiliated street gang "ROLLIN' 30s ORIGINAL HARLEM CRIPS," also known as the "Dirt Gang" (hereinafter ROLLIN' 30s). The Crips street gang is a well-documented national violent street gang. The Crips are divided into sub-groups, known as "sets," which are expected to assist one another and collaborate with one another on criminal activities. The ROLLIN' 30s Crips is a set within the larger Crips gang which operates

nationwide. Consultations with multiple gang investigators as well as Internet research into the Rollin' 30's Crip set has been completed in an effort to understand gang identifiers unique to the Rollin' 30's. The Rollin' 30's Crip set appears to have originated in south Los Angeles. They were also known as the Harlem Godfathers; even though they were originally a West Coast gang, they claim a heritage harking back to Harlem, NY. Denker Park and 39th Street were other subgroups within the original Rollin' 30's Crip set.

8. The existence and structure of the Crips is well documented by law enforcement agencies, and the organization nationally has been the subject of multiple prosecutions for federal racketeering violations involving drugs and violence. Their members are believed to have committed, and continue to commit, violations of federal criminal statutes including the following:

- a. Title 18, United States Code, Section 1962 (Racketeer Influenced and Corrupt Organizations Act);
- b. Title 18, United States Code, Section 1959 (Violent Crimes in Aid of Racketeering);
- c. Title 18, United States Code, Section 922(g)(1) (Possession of a Firearm by a Convicted Felon);
- d. Title 18, United States Code, Section 924(c) (Use of Firearm in Furtherance of a Crime of Violence);
- e. Title 21, United States Code, Sections 841 and 846 (Conspiracy to Distribute and Possess With Intent to Distribute Controlled Substances);
- f. Title 18, United States Code, Section 1029 (Fraud and related activity in connection with access devices); and

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g. Title 18, United State Code, Section 1951 (Interference with Commerce by threats or violence).

9. As a result of my training and experience, I have the following knowledge concerning violent street gangs generally:

a. When an ongoing history of violence involving many separate members of the same gang exists, it is not uncommon for the violent members at the central core of the gang to associate with each other, and to plan together aggressive acts and/or acts of violent retaliation to be perpetrated by a few members of this violent central cadre. I have also learned that gang members who use their own firearms in violent crime activities retain access to those firearms for protection from retaliation and/or frequently pass those firearms to fellow gang members for safekeeping, in order to prevent the weapons from being seized by law enforcement officers pursuant to a search of their residences, vehicles, or persons.

b. Most members of street gangs are known by street names or monikers to their fellow gang members, and they frequently write their names or monikers of their associates on walls, furniture, miscellaneous items, and/or papers, both within their residences or their vehicles. Additionally, they also utilize these monikers and variations of their gang name to identify themselves on various social media outlets. Given the prevalence of technology and social media in contemporary society, gang members, including members of the Rollin' 30s, are known to routinely use social media as part of their larger gang activities.

c. Most gang members keep photographs and photograph albums, some of which is published on social media, depicting: (1) fellow gang members who are posing and giving hand gang signs that indicate gang identity or affiliation; (2) gang members or associates posing with weapons, particularly firearms that are often used for criminal activities; (3) gang

members or associates posing beside vehicles that are occasionally used during the commission of crimes; and (4) gang members or associates posing at locations that are known to be specific gang hangouts.

10. As a result of my training and experience, I have the following knowledge concerning the ROLLIN' 30s:

a. The Roanoke-based ROLLIN' 30s Crips is a criminal street gang with a recent history of violence operating in Roanoke, VA located within the Western District of Virginia;

b. Independent investigations by law enforcement have revealed ROLLIN' 30s Crips members have committed specific violent crimes including armed robbery, shootings, assaults, and homicides, which acts were conducted in furtherance of the gang enterprise;

c. In addition to their violent criminal activity, the ROLLIN' 30s Crips have generated income from drug trafficking and other criminal activities, in furtherance of the gang enterprise;

d. The ROLLIN' 30s Crips commonly utilize a variety of unifying marks, manners, and identifiers, including "gang sign" hand gestures and tattoos that are specific to the organization. ROLLIN' 30s Crips members often identify themselves by using one hand to form a "C," this is believed to show they are members of a Crips organization. ROLLIN' 30s Crips also use the symbol of two thumbs up resembling an "H" for "Harlem." Several ROLLIN' 30s Crips members have Original Harlem Crips or "OHC" tattooed on their body. ROLLIN' 30s Crips also identify themselves with the color blue, which represents the Crips organization and/or brown which represents the Dirt Gang. The "thumbs up" emoji have been prevalent in a plethora of social media posts by the Rollin' 30's Roanoke members, often

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accompanied by the handicapped symbol which is the gang's attempt to shorten the word cripple to Crip.

11. The Violent Crimes Task Force in Roanoke began investigating local ROLLIN' 30s Crips gang members in approximately June 2017, after the homicide of 17-year-old N [REDACTED] L [REDACTED]. On June 15, 2017, Roanoke City Police responded to a homicide at 2323 Tuckawana Circle NW, Roanoke, VA 24017. The deceased victim was L [REDACTED] a recent graduate of Patrick Henry High School. L [REDACTED] was shot multiple times. The preliminary investigation has revealed that L [REDACTED] was a member of the Rollin' 30s and his murder related to his ROLLIN' 30s gang involvement. Among other evidence, L [REDACTED] Facebook page showed gang affiliation with the ROLLIN' 30s Crips, and L [REDACTED] had admitted to his parents that he was a ROLLIN' 30s Crips gang member.

12. FBI Task Force Officer Ryan Brady, who is assigned to the Violent Crimes Task Force at the Roanoke Resident Agency, has been assisting the Roanoke City Police Department in their investigative efforts on this homicide. Interviews with witnesses in the case have resulted in multiple statements about gang violence being conducted by the Rollin' 30s Crips gang set. Rollin' 30s gang turmoil appears to be the primary cause for the homicide. Persons interviewed relating to the homicide have identified SEAN DENZEL GUERRANT as the leader of the Rollin' 30s Crip set, operating from the Lansdowne neighborhood in Roanoke, VA. An interview conducted by Roanoke City Police with L [REDACTED] parents revealed that L [REDACTED] was recruited into this gang while still attending Patrick Henry High School. A review of numerous Roanoke City Police reports further revealed the Rollin' 30s permeation into the local high schools. These police reports included documentation of an assault on L [REDACTED] by another high school student/gang member due to a lack of

adherence by L [REDACTED] to gang rules. Other interviews have revealed the Rollin' 30s are specifically targeting youth in the local community.

13. GUERRANT is believed to have started the Rollin' 30s/Dirt Gang in the Lansdowne neighborhood of Roanoke City, VA, after serving prison time as a juvenile for his role in a homicide. It is believed by investigators that GUERRANT developed his affiliation with the Rollin' 30s while in prison. GUERRANT has a large gang tattoo on his stomach that he has prominently displayed in one or more Facebook photos. GUERRANT was L [REDACTED] "big homie", which is a phrase typically describing the relationship between an established member of the gang and a new recruit. GUERRANT began questioning L [REDACTED] loyalty and dedication to the gang after learning that L [REDACTED] had been hanging out and staying with members of another local gang, specifically the Bloods, which is the archrival of the Crips. L [REDACTED] has a friend in Roanoke who is a known Bloods gang member, and L [REDACTED] had been staying with his friend at that time. Consequently, GUERRANT approached another new member of the Rollin' 30s named D [REDACTED] F [REDACTED] and GUERRANT issued an order for F [REDACTED] to kill L [REDACTED] as a gang mission for F [REDACTED] because L [REDACTED] had been associating with a rival gang. According to F [REDACTED] he refused to comply with this order, an act which itself could be considered a severe gang violation. Subsequently, a review of social media indicates that L [REDACTED] began to make overtures to rejoin the ROLLIN' 30s gang, but this would require one or more actions by L [REDACTED] to atone for his past gang violations. In turn, it is believed that GUERRANT issued a gang initiation task calling for L [REDACTED] to kill F [REDACTED]. Consequently, on or about June 15, 2017, L [REDACTED] and F [REDACTED] were taken by Rollin' 30s gang members to 2323 Tuckawana Circle NW, Roanoke, VA. According to F [REDACTED], he fled the area just prior to L [REDACTED] homicide and was himself uninjured, in part because L [REDACTED] signaled to F [REDACTED] to f [REDACTED]. Ultimately, L [REDACTED] body was located in the

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Tuckawana Circle apartment complex after he was shot multiple times in the back. One neighbor reported seeing two black men with firearms chasing another black man at the time of the shooting.

14. TRAYVONE RAYCRON KASEY and DEMONTE RASHAD MACK have been identified as the likely shooters/suspects in the murder of L [REDACTED]. The third person present at the scene at the time of the murder, according to F [REDACTED], was CHAUNCEY DION LEVESY. Through interviews, all three have been identified as members of the Rollin' 30s gang. MACK appears to have rank above KASEY but below GUERRANT. The larger point is that gang violence in certain neighborhoods in Roanoke is a growing threat.

15. Through the investigation of L [REDACTED] murder, Roanoke City Police and the Violent Crimes Task Force learned the following: The ongoing homicide investigation has led investigators to identify multiple potential Rollin' 30s members, and to evaluate the effect that this gang has had on the City of Roanoke. In doing so, criminal histories and prior Roanoke City Police reports for the individuals identified below were reviewed. It was determined that a majority of the individuals listed below have extensive criminal records, to include but not limited to homicide, weapons related offenses, narcotics charges, eluding police, armed robbery, etc. It has become evident from the multiple recent interviews that the Rollin' 30s/Dirt Gang and its members have, as a product of the furtherance of their gang's prosperity and notoriety, had a direct impact on the violent crime rate in the City of Roanoke. This is particularly true for the Northwest portion of the City where the Rollin' 30s/Dirt Gang appear to conduct much of its illegal activities. The homicide of L [REDACTED] and recent attempt on F [REDACTED]'s life have demonstrated the violent nature of the Rollin' 30s. The Roanoke City PD believes that the violence of this group/gang will continue to escalate. Last year, some gang paraphernalia, consisting of handwritten notes, was located by local police. The notes had been discarded on the street within the Lansdowne community in Roanoke.

The notes appear to be a Rollin' 30s new member manual, which is labeled "Rol3 Call" and outlines the gang's origins in the early 70's. The notes also list their colors as blue and brown, and refer to Harlem, Denker Nine and Ave. 39er. The notes also outline rank and structure in the Rollin' 30s. Upon viewing the Facebook profiles of each of the potential members listed below, numerous pictures featuring Rollin' 30s hand signs, apparel (to include blue bandanas flown on the left side for Crip gang), lingo, drugs, weapons, etc. have been viewed and are indicative of Rollin' 30s involvement /association.

16. Through the investigation of the L ■ murder, the Roanoke City Police and the Violent Crimes Task Force have gathered considerable evidence regarding the nature, scope, structure, and activities of the ROLLIN' 30s Crips set which corroborates much of the witness statements cited above. The sources of evidence include the following, as further detailed herein:

a. Review of social media accounts (some publicly accessible, others obtained by court order) maintained by gang members and associates;

b. Review of historical criminal activity of gang members and associates, as detailed in police reports and court records;

c. Review of downloaded cell phones data;

d. A handwritten gang-related document recovered in the Lansdowne area by the police after gang members discarded it during a police encounter; and

e. Physical surveillance.

17. To date, multiple active ROLLIN' 30s Crips members and associates have been identified in the Roanoke area. This organization has a presence in multiple other states and operates from Virginia across state lines, including using interstate communications facilities to

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discuss gang business, provide payment to incarcerated gang members, and recruit gang members.

Investigation has shown the following individuals to be affiliated with the ROLLIN' 30s:

1. SEAN DENZEL GUERRANT (DOB [REDACTED]/1991, SSAN [REDACTED]-1152, Facebook: Harlem Denk);
2. TRAYVONCE RAYCRON KASEY (DOB [REDACTED]/1998; SSAN unknown, Facebook: Yrn Kasey);
3. DEMONTE RASHAD MACK (DOB [REDACTED]/1989, SSAN [REDACTED]-7643, Facebook: Monte too real sr.);
4. [REDACTED] [REDACTED] [REDACTED] (DOB [REDACTED]/1993, SSAN [REDACTED]) (Facebook: [REDACTED]);
5. [REDACTED] [REDACTED] [REDACTED] (DOB [REDACTED]/1992, SSAN [REDACTED]) (Facebook: [REDACTED]);
6. [REDACTED] [REDACTED] [REDACTED] (DOB [REDACTED]/1981, SSAN [REDACTED]) (Facebook: [REDACTED]);
7. [REDACTED] [REDACTED] [REDACTED] (DOB [REDACTED]/1998, SSAN unknown, Facebook: [REDACTED]);
8. CHAUNCEY DION LEVESY (DOB [REDACTED]/1994, SSAN [REDACTED]-3232), (Facebook: Cee Guzman);
11. [REDACTED] [REDACTED] [REDACTED] (DOB [REDACTED]/1992, SSAN [REDACTED]-[REDACTED], Facebook: [REDACTED]);
12. D [REDACTED] F [REDACTED] (DOB [REDACTED]/1996, SSAN [REDACTED]) (Facebook: D [REDACTED] F [REDACTED]);
13. N [REDACTED] N [REDACTED] L [REDACTED]
14. [REDACTED] [REDACTED];
15. [REDACTED] [REDACTED];
16. [REDACTED] [REDACTED];

PROBABLE CAUSE

18. Investigation into this case has shown that the above gang members are using their cell phones to communicate with one another after crimes are being committed. Pen-Link, along with cell phone call detail records, has been used to establish cell phone communication between most of the above 16 names listed in paragraph 17. [REDACTED] has been verified as having another phone and he has communicated amongst the group. Cell phones are also commonly used to take, share, and transmit photos. Text messaging is also a commonly used form of communication with a cell

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phone and the cell phone stores those text messages. [REDACTED] [REDACTED] social media (Facebook) shows conclusively that he is a member of the ROLLIN' 30s. Furthermore during a non-custodial interview with Roanoke City Police Department Detective Dillon, [REDACTED] [REDACTED] admitted he was a member of the ROLLIN' 30's and that SEAN GUERRANT was the leader of the gang. [REDACTED] [REDACTED] also admitted that he allowed TRAYVON KASEY to use his girlfriend's rental vehicle the night N [REDACTED] N [REDACTED] L [REDACTED] was murdered at the request of SEAN GUERRANT.

19. Based upon the foregoing, there is probable cause to believe the ROLLIN 30s is a criminal enterprise as defined by 18 U.S.C. § 1961(4) and 18 U.S.C. § 1959(b)(2). Based on [REDACTED] [REDACTED] activity as it relates to the ROLLIN' 30s, investigating agents know [REDACTED] [REDACTED] is utilizing the social media, specifically the Facebook Inc. to facilitate communication with ROLLIN' 30s Crips members in furtherance of the organization.

20. On April 17, 2018 the Federal Bureau of Investigation obtained via search warrant (7:18mj43) user data from Facebook Inc. user ID number 100002670079743 which was identified as the Facebook Inc. account used by [REDACTED] [REDACTED]. Information from Facebook Inc. user ID number 100002670079743 contained data from the date range May 1, 2017 00:00:00 UTC to May 3, 2018 23:59:59 UTC.

21. Upon FBI TFO John McPhail's review of the content of that return multiple references in message content and pictures that would tend to indicate [REDACTED] [REDACTED] hereafter referred to as [REDACTED] involvement in the Rollin' 30s Crip gang. The user data provided by Facebook Inc. contained amongst other things messages sent via Facebook messenger and images posted by users as well as tagged users in photos. Upon reviewing the Facebook Inc. data referenced above, two

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pictures and two messages were of particular interest. The pictures to be referenced will be provided below as PICTURE #1 and #2.

a. PICTURE #1 (Photo ID 1267875373311453) was posted on 06-16-2017. [REDACTED] is the only person in the picture and [REDACTED] is displaying the two thumbs up hand sign representative of the Rolling 30's Crip Gang.

b. PICTURE #2 (Photo ID 1265932103505780) was posted on 06-13-2017. [REDACTED] is the only person in the picture and [REDACTED] is displaying the two thumbs up hand sign representative of the Rolling 30's Crip Gang.

c. [REDACTED] titled a picture that was posted on his Facebook page: "The only time I'm disappointed in myself is when I know I'm better then the choices I make and choose to deal with..?!" Good morning/Afternoon. The hashtag used for that picture was #Dirt which refers to the Dirt Gang, Rolling 30's Crip Set

d. On Facebook Messenger thread between [REDACTED] and [REDACTED] [REDACTED] is as follows:

Author [REDACTED] [REDACTED] (100017538819059)

Sent 2017-07-18 12:45:36 UTC

Body What's up crip

Author [REDACTED] [REDACTED] (100002670079743)

Sent 2017-07-18 12:47:40 UTC

Body What's CraCcin Cuhz

Author [REDACTED] [REDACTED] (100017538819059)

Sent 2017-07-18 12:51:29 UTC

Body Shit just CRIP'N

[REDACTED] [REDACTED] asks [REDACTED] "What's up Crip", [REDACTED] replies "What's Craccin Cuhz", to which [REDACTED] [REDACTED] replies "Shit just Crip'n". In this exchange, [REDACTED] [REDACTED] is referring to [REDACTED] as a Crip.

22. During a shoplifting incident that occurred in Walmart (4807 Valley View Blvd Roanoke, VA 24012) on 11/06/2017 Roanoke City Police investigation revealed that a cell phone, **SUBJECT DEVICE**, was dropped by [REDACTED] [REDACTED] when he ran from the store and it was turned over to the Roanoke City Police Department (17-120610). The cell phone is currently in the Roanoke City Police Department property room. The cell phone is a Kyocera Model #E4520PTT, MEID: 99000612170864. FBI TFO Ryan Brady learned that an arrest warrant was pending for [REDACTED] [REDACTED] for this felony larceny and upon further investigation realized that the dropped phone may contain important information into the violent crimes committed by the ROLLIN' 30's.



PICTURE #1



PICTURE #2

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ELECTRONIC STORAGE AND FORENSIC ANALYSIS

23. Based on my knowledge, training, and experience, I know that electronic devices can store information for long periods of time. Similarly, things that have been viewed via the Internet are typically stored for some period of time on the device. This information can sometimes be recovered with forensics tools.

24. *Forensic evidence.* As further described in Attachment B, this application seeks permission to locate not only electronically stored information that might serve as direct evidence of the crimes described on the warrant, but also forensic evidence that establishes how the Subject Device was used, the purpose of its use, who used it, and when. There is probable cause to believe that this forensic electronic evidence might be on the Subject Device because:

- a. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file).
- b. Forensic evidence on a device can also indicate who has used or controlled the device. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence.
- c. A person with appropriate familiarity with how an electronic device works may, after examining this forensic evidence in its proper context, be able to draw conclusions about how electronic devices were used, the purpose of their use, who used them, and when.
- d. The process of identifying the exact electronically stored information on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. Electronic evidence is not always data that can be merely reviewed by a review

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team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.

- e. Further, in finding evidence of how a device was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium.

25. *Nature of examination.* Based on the foregoing, and consistent with Rule 41(e)(2)(B), the warrant I am applying for would permit the examination of the Device consistent with the warrant. The examination may require authorities to employ techniques, including but not limited to computer-assisted scans of the entire medium, that might expose many parts of the Devices to human inspection in order to determine whether it is evidence described by the warrant.

26. *Manner of execution.* Because this warrant seeks only permission to examine the Device already in law enforcement's possession, the execution of this warrant does not involve the physical intrusion onto a premise. Consequently, I submit there is reasonable cause for the Court to authorize execution of the warrant at any time in the day or night.

**SPECIFICITY OF SEARCH WARRANT RETURN AND NOTICE
REGARDING INITIATION OF FORENSIC EXAMINATION**

27. Consistent with the Court's current policy, the search warrant return will list the model and serial number of the **SUBJECT DEVICE** and include a general description of any and all associated peripheral equipment that has been seized.

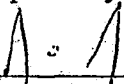
CONCLUSION

28. I submit that this affidavit supports probable cause for a search warrant authorizing the examination of the **SUBJECT DEVICE** described in Attachment A to seek the items described in Attachment B.

REQUEST FOR SEALING

29. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the application, affidavit, and search warrant. I believe that sealing this document is necessary because the items and information to be seized are relevant to an ongoing investigation into the criminal organizations and not all of the targets of this investigation will be searched at this time. Based upon my training and experience, I have learned that online criminals actively search for criminal affidavits and search warrants via the internet, and disseminate them to other online criminals as they deem appropriate, e.g., by posting them publicly online through the carding forums. Premature disclosure of the contents of this affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.

Respectfully submitted,



John McPhail
FBI TFO

Subscribed and sworn to before me
September 13, 2018:



UNITED STATES MAGISTRATE JUDGE